

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

**FRONT RANGE EQUINE RESCUE,
*et al.***

Plaintiffs,
vs.
No. 1:13-CV-00639-MCA-RHS

**TOM VILSACK, Secretary U.S.
Department of Agriculture, *et al.***

Defendants.

**ORDER DENYING DEFENDANT-INTERVENORS' EXPEDITED MOTION
FOR ORDER REQUIRING BOND PURSUANT TO FED. R. CIV. P. 65(C)**

THIS MATTER COMES before the Court on Defendant-Intervenors' Expedited Motion For Order Requiring Bond Pursuant to Fed. R. Civ. P. 65(c) (Doc. 180). Defendant-Intervenors seek a bond for Rains Natural Meats. The Court has reviewed Plaintiffs' Opposition to Defendant-Intervenors' Expedited Motion for Order Requiring Bond (Doc. 187) and Defendant-Intervenors' Reply (Doc. 193). After careful review, the Court concludes that the Motion will be denied.

With regard to the timing of the Motion, it was filed as "expedited," however, Movant has not explained why the Motion should be expedited. Therefore, the Court did not order expedited briefing. As for the merits of the Motion, this Court has already decided that Rains Natural Meats does not have standing to seek an injunction bond because Rains Natural Meats has not been enjoined. Chief Judge Armijo ordered, "Defendants Valley Meat and Responsible Transportation are enjoined from commercial horse slaughter operations until further order of the Court" (Doc. 125 at 7) and did not include Rains Natural Meats in that injunction. Rains Natural Meats has not

pointed to any order enjoining it from operation and therefore it is not entitled to an injunction bond. As previously noted, “The Court concludes that only Responsible Transportation and Valley Meat have standing to seek injunction bonds as they are the only parties being restrained by the Court” (Doc. 102). Defendant-Intervenors seek a bond for three months for Rains Natural Meats, but the Movant did not specify which three months or how Movant calculates its monthly damages.

THEREFORE, IT IS ORDERED that Defendant-Intervenors’ Expedited Motion for Order Requiring Bond Pursuant to Fed. R. Civ. P. 65(c) (Doc. 180) is DENIED.

Robert Hayes Scott
ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE